

Message Text

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PAGE 01 STATE 246633

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ORIGIN EB-11

INFO OCT-01 NEA-10 ISO-00 CAB-09 CIAE-00 COME-00 DODE-00

INR-10 NSAE-00 RSC-01 FAA-00 L-03 SS-20 NSC-10 DOTE-00

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DRAFTED BY EB/OA:JSMEADOWS:JO

APPROVED BY EB/OA:JSMEADOWS

CAB - MR. MURPHY

NEA/TUR - MR. HIR HORN (SUBS)

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R 182239Z DEC 73

FM SECSTATE WASHDC

TO AMEMBASSY ANKARA

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E.O. 11652: N/A

TAGS: ETRN, TU

SUBJECT: CI*AIR - BILATERAL AGREEMENT

REF: STATE 237406

1. PLEASE ADVISE AKYAMAC THAT MEADOWS REGRETS NOT BEING ABLE CALL HIM BACK IN NEW YORK PRIOR HIS DEPARTURE DUE PREOCCUPATION WITH CURRENT FUEL CRISIS. HOWEVER, USG IS NOW REVIEWING AKYAMAC'S LATEST COMMENTS (TELEPHONED FROM NEW YORK) AND WILL SEEK TO INCORPORATE THEM TO EXTENT POSSIBLE IN REVISED DRAFT ON CAPACITY WHICH WILL BE SENT A*KARA SHORTLY.

2. RE AKYAMAC SUGGESTION THAT CAPACITY CLAUSE IN TEXT OF AGREEMENT BE ELIMINATED OR AT LEAST NOT GO BEYOND IRANIAN TEXT, WE WOULD BE PREPARED MODIFY U.S. POSITION AND INCLUDE IN TEXT LANGUAGE OF IRANIAN TEXT (ARTICLE 8) AS FOLLOWS:

(A) THE DESIGNATED AIRLINES OF THE TWO CONTRACTING PARTIES SHALL BE AFFORDED FAIR AND EQUAL TREATMENT IN LIMITED OFFICIAL USE

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PAGE 02 STATE 246633

ORDER THAT THEY MAY ENJOY EQUAL OPPORTUNITIES IN THE

OPERATION OF THE SERVICES ON THE SPECIFIED ROUTES.

(B) IN OPERATING THE SERVICES, THE DESIGNATED AIRLINE OR AIRLINES OF EACH CONTRACTING PARTY SHALL TAKE INTO ACCOUNT THE AIRLINE INTERESTS OF THE OTHER CONTRACTING PARTY SO AS NOT TO AFFECT UNDULY THE SERVICES WHICH THE LATTER PROVIDES ON THE WHOLE OR PART OF THE SAME ROUTES.

(C) THE SERVICES PROVIDED BY THE DESIGNATED AIRLINES OF THE TWO CONTRACTING PARTIES SHALL HAVE AS THEIR PRIMARY OBJECTIVE THE PROVISION, AT A REASONABLE LOAD FACTOR, OF CAPACITY ADEQUATE TO THE TRAFFIC DEMANDS BETWEEN THE TERRITORY OF THE CONTRACTING PART* DESIGNATING THE AIRLINE AND THE COUNTRIES OF ULTIMATE DESTINATION OF THE TRAFFIC. IN ADDITION THE DESIGNATED AIRL*NES OF BOTH CONTRACTING PARTIES MAY PROVIDE CAP*CITY RELATED TO:

(1) TRAFFIC REQUIREMENTS BETWEEN POINTS IN THE TERRITORY OF THE OTHER CONTRACTING PARTY AND POINTS IN THE TERRITORIES OF THIRD COUNTRIES AND

* (2) TRAFFIC REQUIREMENTS BETWEEN POINTS ON THE ROUTES IN THE TERRITORIES OF THIRD COUNTRIES SPECIFIED IN THE ROUTE SCHEDULE OF THE AGREEMENT, AFTER TAKING ACCOUNT OF LOCAL AND REGIONAL AIR SERVICES.

(D) IN THE EVENT THAT ONE OF THE CONTRACTING PARTIES BELIEVES THAT THE OPERATIONS CONDUCTED BY AN AIRLINE OF THE OTHER CONTRACTING PARTY HAVE BEEN INCONSISTENT WITH THE STANDARDS AND PRINCIPLES SET FORTH ABOVE, IT MAY REQUEST CONSULTATIONS ACCORDING TO AGREED PROCEDURES FOR*THE PURPOSE OF REVIEWING THE OPERATIONS IN QUESTI*N TO DETERMINE WHETHER THEY ARE IN CONFORMITY WITH THE/ SAID STANDARDS AND PRINCIPLES.

3. FYI: AKYAMAC PREDILECTION FOR RAISING NEW ELEMENTS OR RETURNING TO OLD ORIGINAL POSITIONS MAKE IT EXTREMELY UNLIKELY THAT WE WILL BE ABLE TO REACH SATISFACTORY LIMITED OFFICIAL USE

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PAGE 03 STATE 246633

ACCOMMODATIONS AS LONG AS HE IS IN CHARGE. OUR DISPOSITION AT MOMENT IS NOT TO TAKE ANY FURTHER ACTION UNTIL AKYAMAC'S SUCCESSOR RAISES ISSUE. REQUEST EMBASSY COMMENTS ON THIS STRATEGY. END FYI. RUSH

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AIR TRAFFIC, AVIATION AGREEMENTS, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 18 DEC 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973STATE246633
Document Source: CORE
Document Unique ID: 00
Drafter: JSMEADOWS:JO
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: n/a
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19731218/aaaaamrc.tel
Line Count: 111
Locator: TEXT ON-LINE
Office: ORIGIN EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: STATE 237406
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 08 JAN 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <08-Jan-2002 by boyleja>; APPROVED <11 MAR 2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CI*AIR - BILATERAL AGREEMENT
TAGS: ETRN, TU, US
To: ANKARA
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005